

1 an agreement or compromise with the department, or the department of justice,
2 under s. 71.92 and is in compliance with that agreement, regarding the payment of
3 delinquent taxes, or the name of any person who is protected by a stay that is in effect
4 under the Federal Bankruptcy Code; the Internet posting shall be updated each
5 business day, as defined in s. 562.01 (3m), to comply with these prohibitions.”.

6 *b0173/1.33* **831.** Page 754, line 18: delete lines 18 to 24.

7 *b0300/1.2* **832.** Page 758, line 6: after “denial” insert “, suspension,”.

8 *b0199/P2.6* **833.** Page 758, line 20: delete the material beginning with that
9 line and ending with page 759, line 2.

10 *b0370/3.4* **834.** Page 760, line 17: after that line insert:

11 *b0370/3.4* **“SECTION 1473b.** 76.28 (3) (e) of the statutes is created to read:

12 76.28 (3) (e) Beginning with the fees due in calendar year 2008, a light, heat,
13 and power company may claim as a credit against the fees imposed under sub. (2) and
14 s. 76.29 (2) an amount equal to the amount of property taxes imposed under ch. 70
15 on general structures and substations that the light, heat, and power company paid
16 in the then current calendar year. If a credit computed under this paragraph is not
17 entirely offset against the license fees otherwise due for the then current calendar
18 year, the unused balance may be carried forward and credited against license fees
19 otherwise due for the following 15 calender years to the extent not offset by the
20 license fees otherwise due in all intervening years between the year in which the
21 property taxes were paid and the year in which the carry-forward credit is claimed.

22 *b0370/3.4* **SECTION 1473d.** 76.28 (9) of the statutes is amended to read:

23 76.28 (9) **PROPERTY SUBJECT TO LOCAL TAX.** The Except as provided in s. 70.112
24 (4) (am) the license fees imposed by this section upon the gross revenues of light, heat

1 and power companies as defined in sub. (1) (e) shall be in lieu of all other taxes on
2 all property used and useful in the operation of the business of such companies in this
3 state, except that the same shall be subject to special assessments for local
4 improvements. If a general structure is used and useful in part in the operation of
5 the business of those companies in this state and in part for nonoperating purposes,
6 the license fees imposed by this section are in place of the percentage of all other taxes
7 on the property that fairly measures and represents the extent of the use and
8 usefulness in the operation of the business of those companies in this state, and the
9 balance is subject to local assessment and taxation, except that the entire general
10 structure is subject to special assessments for local improvements. Property under
11 s. 76.025 (2) shall not be taxed under this section, but shall be subject to local
12 assessment and taxation.

13 ***b0370/3.4* SECTION 1473e.** 76.29 (2) of the statutes is amended to read:

14 76.29 (2) IMPOSITION. There Subject to the credits under ss. 76.28 (3) (e) and
15 76.48 (3d), there is imposed on every light, heat, and power company and electric
16 cooperative that owns an electric utility plant, an annual license fee to be assessed
17 by the department on or before May 1, 2005, and every May 1 thereafter, ending with
18 the assessment on May 1, 2010, measured by the gross revenues of the preceding tax
19 period in an amount equal to the apportionment factor multiplied by gross revenues
20 multiplied by 1.59%. The fee shall become delinquent if not paid when due and when
21 delinquent shall be subject to interest at the rate of 1.5% per month until paid. Gross
22 revenues earned by a light, heat, and power company after December 31, 2009, are
23 subject to the license fee imposed under s. 76.28 (2). Gross revenues earned by an
24 electric cooperative after December 31, 2009, are subject to the license fee imposed
25 under s. 76.48 (1r).”.

1 ***b0276/1.3* 835.** Page 760, line 18: delete lines 18 to 22 and substitute:

2 ***b0276/1.3* "SECTION 1474c.** 76.30 (2) (i) of the statutes is created to read:

3 76.30 (2) (i) The secretary of revenue and employees of that department for the
4 purposes of preparing and maintaining the list of persons with unpaid tax
5 obligations as described in s. 73.03 (62) so that the list of such persons is available
6 for public inspection."

7 ***b0353/1.1* 836.** Page 760, line 22: after that line insert:

8 ***b0353/1.1* "SECTION 1474m.** 76.39 (1) (am) of the statutes is created to read:

9 76.39 (1) (am) "Average net rate of taxation" means the average net rate of
10 taxation determined under s. 76.126 as of June of the year prior to the assessment.

11 ***b0353/1.1* SECTION 1474n.** 76.39 (2) of the statutes is amended to read:

12 76.39 (2) There is levied annually a gross earnings tax in lieu of all property
13 taxes on the car line equipment of a car line company equal to ~~3% of the gross~~
14 earnings in this state multiplied by the average net rate of taxation. Every railroad
15 company operating in this state shall, upon making payment to each car line
16 company for use of its cars, withhold ~~3% of the amount constituting the gross~~
17 ~~earnings in this state of such~~ of the tax imposed under this subsection on the car line
18 company."

19 ***b0362/P3.9* 837.** Page 760, line 22: after that line insert:

20 ***b0362/P3.9* "SECTION 1474m.** 76.655 of the statutes is created to read:

21 **76.655 Health insurance risk-sharing plan assessments credit. (1)**

22 DEFINITIONS. In this section, "claimant" means an insurer, as defined in s. 149.10 (5),
23 who files a claim under this section.

1 (2) FILING CLAIMS. Subject to the limitations provided under this section, for
2 taxable years beginning after December 31, 2005, a claimant may claim as a credit
3 against the fees imposed under ss. 76.60, 76.63, 76.65, 76.66 or 76.67 an amount that
4 is equal to a percentage of the amount of assessment under s. 149.13 that the
5 claimant paid in the taxable year, as determined under sub. (3).

6 (3) LIMITATIONS. The department of revenue, in consultation with the office of
7 the commissioner of insurance, shall determine the percentage under sub. (2) for
8 each claimant for each taxable year so that the cost of the credit under this section
9 and ss. 71.07 (5g), 71.28 (5g), and 71.47 (5g) is as close as practicable to \$2,000,000
10 in the 2006–07 fiscal year and \$5,000,000 in each fiscal year thereafter.

11 (4) CARRY-FORWARD. If the credit under sub. (2) is not entirely offset against the
12 fees imposed under ss. 76.60, 76.63, 76.65, 76.66, or 76.67 that are otherwise due, the
13 unused balance may be carried forward and credited against those fees in the
14 following 15 years to the extent that it is not offset by those fees otherwise due in all
15 the years between the year in which the assessment was paid and the year in which
16 the carry-forward credit is claimed.

17 ***b0362/P3.9* SECTION 1474p.** 76.67 (2) of the statutes is amended to read:

18 76.67 (2) If any domestic insurer is licensed to transact insurance business in
19 another state, this state may not require similar insurers domiciled in that other
20 state to pay taxes greater in the aggregate than the aggregate amount of taxes that
21 a domestic insurer is required to pay to that other state for the same year less the
22 ~~credit credits~~ under ~~s. ss.~~ ss. 76.635 and 76.655, except that the amount imposed shall
23 not be less than the total of the amounts due under ss. 76.65 (2) and 601.93 and, if
24 the insurer is subject to s. 76.60, 0.375% of its gross premiums, as calculated under
25 s. 76.62, less offsets allowed under s. 646.51 (7) or under ~~s. ss.~~ ss. 76.635 and 76.655

1 against that total, and except that the amount imposed shall not be less than the
2 amount due under s. 601.93.”.

3 ***b0370/3.5* 838.** Page 760, line 22: after that line insert:

4 ***b0370/3.5* “SECTION 1474m.** 76.48 (3d) of the statutes is created to read:

5 76.48 (3d) (a) Beginning with the fees due in calendar year 2008, an electric
6 cooperative may claim as a credit against the fees imposed under sub. (1r) and s.
7 76.29 (2) an amount equal to the amount of any payments in lieu of property taxes
8 that the electric cooperative paid in the then current calendar year, not to exceed the
9 amount of property taxes that the cooperative would have paid in that year had the
10 cooperative’s property been subject to taxation under ch. 70. If a credit computed
11 under this paragraph is not entirely offset against the license fees otherwise due for
12 the then current calendar year, the unused balance may be carried forward and
13 credited against license fees otherwise due for the following 15 calendar years to the
14 extent not offset by the license fees otherwise due in all intervening years between
15 the year in which the payments were paid and the year in which the carry-forward
16 credit is claimed.

17 (b) Beginning with distributions in 2008, a general structure owned or leased
18 by an electric cooperative for which a payment in lieu of property taxes is made in
19 the year of the distribution shall not be included in the calculation of payments under
20 s. 79.04 (1) and (2). Beginning with distributions in 2009, a substation of an electric
21 cooperative, other than a transmission substation, for which a payment in lieu of
22 property taxes is made in the year of the distribution shall not be included in the
23 calculation of payments under s. 79.04 (1) and (2).”.

24 ***b0378/5.4* 839.** Page 760, line 22: after that line insert:

1 ***b0378/5.4*** “**SECTION 2474m.** Chapter 77 (title) of the statutes is amended to
2 read:

3 **CHAPTER 77**

4 **TAXATION OF FOREST CROPLANDS;**

5 **REAL ESTATE TRANSFER FEES;**

6 **SALES AND USE TAXES; COUNTY**

7 **AND SPECIAL DISTRICT SALES**

8 **AND USE TAXES; MANAGED FOREST**

9 **LAND; TEMPORARY RECYCLING**

10 **SURCHARGE; LOCAL FOOD AND**

11 **BEVERAGE TAX; LOCAL RENTAL**

12 **CAR TAX; PREMIER RESORT AREA**

13 **TAXES; STATE RENTAL VEHICLE FEE;**

14 **DRY CLEANING FEES; REGIONAL**

15 **TRANSIT AUTHORITY FEE”.**

16 ***b0027/1.1* 840.** Page 760, line 23: delete the material beginning with that
17 line and ending with page 761, line 6.

18 ***b0198/P2.1* 841.** Page 761, line 7: delete that line.

19 ***b0199/P2.7* 842.** Page 761, line 8: delete lines 8 to 10.

20 ***b0198/P2.2* 843.** Page 761, line 11: delete lines 11 to 21.

21 ***b0199/P2.8* 844.** Page 761, line 22: delete the material beginning with that
22 line and ending with page 764, line 16.

23 ***b0198/P2.3* 845.** Page 764, line 17: delete the material beginning with that
24 line and ending with page 765, line 7.

1 ***b0199/P2.9* 846.** Page 765, line 8: delete the material beginning with that
2 line and ending with page 767, line 4.

3 ***b0198/P2.4* 847.** Page 767, line 5: delete lines 5 to 8.

4 ***b0199/P2.10* 848.** Page 767, line 9: delete the material beginning with that
5 line and ending with page 772, line 5.

6 ***b0198/P2.5* 849.** Page 772, line 10: delete lines 10 to 24.

7 ***b0199/P2.11* 850.** Page 772, line 25: delete the material beginning with
8 that line and ending with page 774, line 11.

9 ***b0198/P2.6* 851.** Page 774, line 12: delete lines 12 to 19 and substitute:

10 ***b0198/P2.6* "SECTION 1518m. 77.51 (14) (L) of the statutes is repealed."**

11 ***b0199/P2.12* 852.** Page 774, line 18: delete the material beginning with
12 that line and ending with page 780, line 4. 20

13 ***b0198/P2.7* 853.** Page 780, line 5: delete lines 5 to 7 and substitute:

14 ***b0198/P2.7* "SECTION 1530m. 77.52 (1) of the statutes is renumbered 77.52**
15 **(1) (a) and amended to read:"**.

16 ***b0199/P2.13* 854.** Page 780, line 6: delete lines 6 to 13.

17 ***b0198/P2.8* 855.** Page 780, line 14: delete the material beginning with that
18 line and ending with page 781, line 2.

19 ***b0199/P2.14* 856.** Page 780, line 20: delete the material beginning with
20 that line and ending with page 784, line 8.

21 ***b0198/P2.9* 857.** Page 784, line 9: delete lines 9 to 22.

22 ***b0199/P2.15* 858.** Page 784, line 23: delete the material beginning with
23 that line and ending with page 797, line 12.

1 ***b0198/P2.10* 859.** Page 797, line 13: delete lines 13 to 25.

2 ***b0198/P2.11* 860.** Page 798, line 1: delete the material beginning with “
3 as affected” and ending with “(this act),” on line 2.

4 ***b0199/P2.16* 861.** Page 798, line 1: delete the material beginning with that
5 line and ending with page 804, line 23.

6 ***b0198/P2.12* 862.** Page 798, line 8: delete the material beginning with “on
7 the storage” and ending with “such items;” on line 11.

8 ***b0199/P2.17* 863.** Page 805, line 15: delete the material beginning with
9 that line and ending with page 809, line 12.

10 ***b0173/1.34* 864.** Page 809, line 17: delete “48 49” and substitute “48”.

11 ***b0199/P2.18* 865.** Page 809, line 24: delete the material beginning with
12 that line and ending with page 817, line 6.

13 ***b0361/1.1* 866.** Page 817, line 6: after that line insert:

14 ***b0361/1.1* “SECTION 1631m.** 77.54 (47) of the statutes is renumbered 77.54
15 (47) (intro.) and amended to read:

16 77.54 (47) (intro.) The gross receipts from the sale of and the storage, use, or
17 other consumption of live all of the following:

18 (a) Live game birds, and clay pigeons, that are sold to bird hunting preserves
19 licensed under s. 169.19.

20 ***b0361/1.1* SECTION 1631p.** 77.54 (47) (b) of the statutes is created to read:

21 77.54 (47) (b) Clay pigeons that are sold to a shooting facility, if any of the
22 following applies:

1 1. The shooting facility is required to pay the tax imposed under s. 77.52 on its
2 gross receipts from charges for shooting at the facility.

3 2. The shooting facility is a nonprofit organization that charges for shooting at
4 the facility, but is not required to pay the tax imposed under s. 77.52 on its gross
5 receipts from such charges because the charges are for occasional sales, as provided
6 under sub. (7m).”.

7 ***b0198/P2.13* 867.** Page 817, line 7: delete lines 7 to 12.

8 ***b0356/P2.1* 868.** Page 817, line 12: after that line insert:

9 ***b0356/P2.1* “SECTION 1632m.** 77.54 (49) of the statutes is created to read:

10 77.54 (49) The gross receipts from the sale of and the storage, use, or other
11 consumption of taxable services and tangible personal property that is physically
12 transferred to the purchaser in conjunction with services that are subject to the taxes
13 imposed under s. 77.52 (2) (a) 7., 10., 11., and 20., if the seller and the purchaser of
14 such services and property are members of an affiliated group under section 1504 of
15 the Internal Revenue Code and are eligible to file a single consolidated return for
16 federal income tax purposes. For purposes of this subsection, if a seller purchases
17 a taxable service or tangible personal property, as described in the subsection, that
18 is subsequently sold to a member of the seller’s affiliated group and the sale is exempt
19 under this subsection from the taxes imposed under this subchapter, the original
20 purchase of the taxable service or tangible personal property by the seller is not
21 considered a sale for resale.”.

22 ***b0358/P2.1* 869.** Page 817, line 12: after that line insert:

23 ***b0358/P2.1* “SECTION 1632n.** 77.54 (50) of the statutes is created to read:

pk #. Page 828, line 18: ^{delete} "not including certified service providers,"

1 77.54 (50) The gross receipts from the sale of taxable services provided by a
2 temporary help company, as defined in s. 108.02 (24m), if the client for whom the
3 services are provided controls the means of performing the services and is
4 responsible for the satisfactory completion of the services."

5 *b0199/P2.19* 870. Page 817, line 13: delete the material beginning with
6 that line and ending with page 829, line 2. ^{828 14}

7 *b0360/P2.1* 871. Page 828, line 18: after "of" insert "the first \$50,000, and
8 0.2% of any amount exceeding \$50,000, of".

9 *b0276/1.4* 872. Page 829, line 3: delete lines 3 to 7 and substitute:

10 *b0276/1.4* "SECTION 1657c. 77.61 (5) (b) 12. of the statutes is created to read:

11 77.61 (5) (b) 12. The secretary of revenue and employees of that department
12 for the purposes of preparing and maintaining the list of persons with unpaid tax
13 obligations as described in s. 73.03 (62) so that the list of such persons is available
14 for public inspection."

15 *b0199/P2.20* 873. Page 829, line 8: delete the material beginning with that
16 line and ending with page 830, line 3.

17 *b0202/P3.1* 874. Page 830, line 4: delete lines 4 to 13.

18 *b0199/P2.21* 875. Page 830, line 14: delete the material beginning with
19 that line and ending with page 839, line 2. ^{and substitute: INSERT 250-19}

20 *b0226/P6.4* 876. Page 833, line 14: after "resolution." insert "Any moneys
21 transferred from the appropriation account under s. 20.566 (1) (gd) to the
22 appropriation account under s. 20.835 (4) (gb) shall be used exclusively to retire the
23 district's debt."

1 ***b0226/P6.5* 877.** Page 833, line 23: after “s. 229.824 (15).” insert “Any
2 moneys transferred from the appropriation account under s. 20.566 (1) (ge) to the
3 appropriation account under s. 20.835 (4) (ge) shall be used exclusively to retire the
4 district’s debt.”.

5 ***b0270/5.9* 878.** Page 839, line 2: after that line insert:

6 ***b0270/5.9* “SECTION 1684b.** 77.81 (2m) of the statutes is created to read:

7 77.81 (2m) “Independent certified plan writer” means a plan writer certified
8 by the department but who is not acting under contract with the department under
9 s. 77.82 (3) (g).

10 ***b0270/5.9* SECTION 1684c.** 77.82 (2) (i) of the statutes is amended to read:

11 77.82 (2) (i) If a proposed management plan is not submitted with the petition,
12 a request that the department prepare a management plan. The department may
13 decline to prepare the plan.

14 ***b0270/5.9* SECTION 1684d.** 77.82 (2m) (a) of the statutes is repealed and
15 recreated to read:

16 77.82 (2m) (a) 1. A petition under sub. (2), (4m), or (12) shall be accompanied
17 by a nonrefundable application recording fee of \$20 unless a different amount for the
18 recording fee is established by the department by rule at an amount equal to the
19 average expense to the department for recording an order issued under this
20 subchapter.

21 2. If a petition under sub. (2), (4m), or (12) is not accompanied by a proposed
22 management plan that meets the requirements under par. (c), the department shall
23 charge the plan preparation fee established under par. (am) if the department agrees
24 to complete the plan.

1 ***b0270/5.9* SECTION 1684e.** 77.82 (2m) (am) of the statutes is created to read:

2 77.82 (2m) (am) The department shall by rule establish on an annual basis a
3 nonrefundable fee that the department shall charge for a management plan
4 prepared by the department, including any plan prepared by a certified plan writer
5 contracted by the department under sub. (3) (g). The fee shall be based on the
6 comparable commercial market rate that is charged for preparation of such
7 management plans.

8 ***b0270/5.9* SECTION 1684f.** 77.82 (2m) (b) of the statutes, as affected by 2003
9 Wisconsin Act 228, is repealed.

10 ***b0270/5.9* SECTION 1684g.** 77.82 (2m) (c) (intro.) of the statutes is amended
11 to read:

12 77.82 (2m) (c) (intro.) A proposed management plan that ~~qualifies for the~~
13 ~~reduced fee under par. (b)~~ is exempt from the plan preparation fee under par. (a) 2.
14 shall be one of the following:

15 ***b0270/5.9* SECTION 1684j.** 77.82 (2m) (c) of the statutes, as affected by 2003
16 Wisconsin Act 228 and 2005 Wisconsin Act (this act), is repealed and recreated
17 to read:

18 77.82 (2m) (c) A proposed management plan is exempt from the plan
19 preparation fee under par. (a) 2. if it is prepared by an independent certified plan
20 writer.

21 ***b0270/5.9* SECTION 1684h.** 77.82 (2m) (c) 4. of the statutes is created to read:

22 77.82 (2m) (c) 4. A proposed management plan prepared by an independent
23 certified plan writer.

24 ***b0270/5.9* SECTION 1684k.** 77.82 (2m) (d) 1. of the statutes is renumbered
25 77.82 (2m) (d) and amended to read:

1 77.82 (2m) (d) ~~All the fees collected under this subsection shall be deposited~~
2 ~~in the conservation fund.~~ All of the recording fees collected under ~~par. (b) and \$20~~
3 ~~of each \$300 fee collected under par. (a) 1.~~ shall be credited to the appropriation under
4 s. 20.370 (1) (cr), ~~except as provided under subd. 2.~~

5 ***b0270/5.9* SECTION 1684m.** 77.82 (2m) (d) 2. of the statutes is repealed.

6 ***b0270/5.9* SECTION 1684n.** 77.82 (2m) (dm) of the statutes is renumbered
7 77.82 (2m) (dm) 1. and amended to read:

8 77.82 (2m) (dm) 1. ~~The fees~~ Of each fee \$300 or the entire fee, whichever is less,
9 that is collected under ~~pars.~~ par. (a) and or (e) that are is not credited to the
10 appropriation under s. 20.370 (1) (cr) shall be credited to the appropriation under s.
11 20.370 (1) (cx).

12 ***b0270/5.9* SECTION 1684p.** 77.82 (2m) (dm) 2. of the statutes is created to
13 read:

14 77.82 (2m) (dm) 2. Any amount not credited to the appropriation under s.
15 20.370 (1) (cx), as calculated in subd. 1., shall be deposited into the conservation fund
16 for forestry purposes.

17 ***b0270/5.9* SECTION 1684q.** 77.82 (2m) (e) of the statutes is amended to read:

18 77.82 (2m) (e) If a proposed management plan accompanying a petition filed
19 under sub. (2), (4m), or (12) is not approved by the department under its initial review
20 under sub. (3) (a), and if the department agrees to complete the management plan
21 under sub. (3) (a), the department shall collect from the petitioner a fee ~~in an amount~~
22 ~~equal to \$300 less the amount the petitioner paid under par. (b)~~ the plan preparation
23 fee established under par. (am), if the petitioner has not previously paid the fee.

24 ***b0270/5.9* SECTION 1684r.** 77.82 (3) (a) of the statutes is amended to read:

1 77.82 (3) (a) ~~The petitioner may submit a~~ A proposed management plan ~~for~~ may
2 cover the entire acreage of each parcel ~~with~~ subject to the petition. The department,
3 after considering the owner's forest management objectives as stated under sub. (2)
4 (e), shall review and either approve or disapprove the proposed management plan.
5 If the department disapproves ~~a~~ the plan, it shall inform the petitioner of the
6 changes necessary to qualify the plan for approval upon subsequent review. At the
7 request of the petitioner, the department may agree to complete the proposed
8 management plan that has been prepared by an independent certified plan writer.
9 The department shall complete any proposed management plan prepared by the
10 department.

11 ***b0270/5.9* SECTION 1684s.** 77.82 (3) (b) of the statutes is repealed.

12 ***b0270/5.9* SECTION 1684t.** 77.82 (3) (c) (intro.) of the statutes, as affected by
13 2005 Wisconsin Act 228, is amended to read:

14 77.82 (3) (c) (intro.) To qualify for approval, a management plan shall be
15 prepared by ~~a~~ an independent certified plan writer ~~certified by the department or~~
16 prepared by the department itself and shall include all of the following:

17 ***b0270/5.9* SECTION 1684u.** 77.82 (3) (g) of the statutes is amended to read:

18 77.82 (3) (g) The department shall certify plan writers and shall promulgate
19 rules specifying the qualifications that a person must satisfy to become a certified
20 plan writer. For management plans prepared by the department under this
21 subsection, the department may contract with plan writers certified by the
22 department to prepare and complete these plans.

23 ***b0270/5.9* SECTION 1684v.** 77.82 (4m) (d) of the statutes is amended to read:

24 77.82 (4m) (d) An owner of land who has filed a conversion petition under this
25 subsection and ~~who has requested that~~ for whom the department ~~prepare~~ is

1 ~~preparing or completing~~ a management plan ~~under sub. (3) (b)~~ may withdraw the
2 request and ~~not~~ have it prepared by ~~the department~~ an independent certified plan
3 writer if the owner determines that the department is not preparing the
4 management plan in a timely manner.

5 *b0270/5.9* SECTION 1684w. 77.82 (7) (c) 3. of the statutes, as created by 2003
6 Wisconsin Act 228, is amended to read:

7 77.82 (7) (c) 3. Except as provided in par. (d), if a petition is received on or before
8 May 15 of any year from a petitioner who owns less than 1,000 acres in this state,
9 who, before the deadline established by the department by rule, submitted a draft
10 management plan prepared by ~~a plan writer certified by the department~~ an
11 independent certified plan writer, and who submits a completed plan, as defined by
12 the department by rule, with the petition, the department shall investigate and shall
13 either approve the petition and issue the order under sub. (8) or deny the petition
14 before the following November 21.”.

15 *b0183/1.4* 879. Page 839, line 3: delete the material beginning with that
16 line and ending with page 840, line 16.

17 *b0192/P1.1* 880. Page 840, line 16: after that line insert:

18 *b0192/P1.1* “SECTION 1686m. 77.94 (1) (a) of the statutes is amended to read:

19 77.94 (1) (a) On a corporation under s. 77.93 (1) and (4), an amount equal to
20 the amount calculated by multiplying gross tax liability for the taxable year of the
21 corporation by ~~3%~~ 2%, or in the case of a tax-option corporation an amount equal
22 to the amount calculated by multiplying net income under s. 71.34 by ~~0.2%~~ 0.133%,
23 up to a maximum of \$9,800, or \$25, whichever is greater.

24 *b0192/P1.1* SECTION 1686n. 77.94 (1) (b) of the statutes is amended to read:

1 77.94 (1) (b) On an entity under s. 77.93 (2), (3), or (5), except an entity that has
2 less than \$4,000,000 of gross receipts, an amount equal to the amount calculated by
3 multiplying net business income as allocated or apportioned to this state by means
4 of the methods under s. 71.04, for the taxable year of the entity by ~~0.2%~~ 0.133%, up
5 to a maximum of \$9,800, or \$25, whichever is greater.”.

6 ***b0362/P3.10* 881.** Page 840, line 16: after that line insert:

7 ***b0362/P3.10* “SECTION 1686m.** 77.92 (4) of the statutes is amended to read:

8 77.92 (4) “Net business income,” with respect to a partnership, means taxable
9 income as calculated under section 703 of the Internal Revenue Code; plus the items
10 of income and gain under section 702 of the Internal Revenue Code, including taxable
11 state and municipal bond interest and excluding nontaxable interest income or
12 dividend income from federal government obligations; minus the items of loss and
13 deduction under section 702 of the Internal Revenue Code, except items that are not
14 deductible under s. 71.21; plus guaranteed payments to partners under section 707
15 (c) of the Internal Revenue Code; plus the credits claimed under s. 71.07 (2dd), (2de),
16 (2di), (2dj), (2dL), (2dm), (2dr), (2ds), (2dx), (3g), (3s), (3n), (3t), ~~and (5b), and (5g)~~; and
17 plus or minus, as appropriate, transitional adjustments, depreciation differences,
18 and basis differences under s. 71.05 (13), (15), (16), (17), and (19); but excluding
19 income, gain, loss, and deductions from farming. “Net business income,” with respect
20 to a natural person, estate, or trust, means profit from a trade or business for federal
21 income tax purposes and includes net income derived as an employee as defined in
22 section 3121 (d) (3) of the Internal Revenue Code.”.

23 ***b0199/P2.22* 882.** Page 840, line 17: delete the material beginning with
24 that line and ending with page 842, line 24.

1

***b0371/P1.1* 883.** Page 842, line 20: after that line insert:

2

***b0371/P1.1* "SECTION 1692a.** 77.994 (1) (a) of the statutes is renumbered

3

77.994 (1) (am).

4

***b0371/P1.1* SECTION 1692b.** 77.994 (1) (ad) of the statutes is created to read:

5

77.994 (1) (ad) 5311 — Department stores.

6

***b0371/P1.1* SECTION 1692c.** 77.994 (1) (em) of the statutes is created to read:

7

77.994 (1) (em) 5499 — Miscellaneous food stores.

8

***b0371/P1.1* SECTION 1692d.** 77.994 (1) (fa) of the statutes is created to read:

9

77.994 (1) (fa) 5611 — Men's and boys' clothing and accessory stores.

10

***b0371/P1.1* SECTION 1692e.** 77.994 (1) (fb) of the statutes is created to read:

11

77.994 (1) (fb) 5621 — Women's clothing stores.

12

***b0371/P1.1* SECTION 1692f.** 77.994 (1) (fc) of the statutes is created to read:

13

77.994 (1) (fc) 5632 — Women's accessory and specialty stores.

14

***b0371/P1.1* SECTION 1692g.** 77.994 (1) (fd) of the statutes is created to read:

15

77.994 (1) (fd) 5641 — Children's and infants' wear stores.

16

***b0371/P1.1* SECTION 1692h.** 77.994 (1) (fe) of the statutes is created to read:

17

77.994 (1) (fe) 5651 — Family clothing stores.

18

***b0371/P1.1* SECTION 1692i.** 77.994 (1) (ff) of the statutes is created to read:

19

77.994 (1) (ff) 5661 — Shoe stores.

20

***b0371/P1.1* SECTION 1692j.** 77.994 (1) (fg) of the statutes is created to read:

21

77.994 (1) (fg) 5699 — Miscellaneous apparel and accessory stores.

22

***b0371/P1.1* SECTION 1692k.** 77.994 (1) (ka) of the statutes is created to read:

23

77.994 (1) (ka) 5942 — Bookstores.

24

***b0371/P1.1* SECTION 1692L.** 77.994 (1) (kb) of the statutes is created to read:

1 77.994 (1) (kb) 5943 — Stationery stores.

2 ***b0371/P1.1* SECTION 1692m.** 77.994 (1) (kc) of the statutes is created to read:

3 77.994 (1) (kc) 5944 — Jewelry stores.

4 ***b0371/P1.1* SECTION 1692n.** 77.994 (1) (kd) of the statutes is created to read:

5 77.994 (1) (kd) 5945 — Hobby, toy, and game shops.

6 ***b0371/P1.1* SECTION 1692o.** 77.994 (1) (ma) of the statutes is created to read:

7 77.994 (1) (ma) 5948 — Luggage and leather goods stores.

8 ***b0371/P1.1* SECTION 1692p.** 77.994 (1) (mb) of the statutes is created to read:

9 77.994 (1) (mb) 5949 — Sewing, needlework, and piece goods stores.

10 ***b0371/P1.1* SECTION 1692q.** 77.994 (1) (mc) of the statutes is created to read:

11 77.994 (1) (mc) 5992 — Florists.

12 ***b0371/P1.1* SECTION 1692r.** 77.994 (1) (md) of the statutes is created to read:

13 77.994 (1) (md) 5993 — Tobacco stores and stands.

14 ***b0371/P1.1* SECTION 1692s.** 77.994 (1) (me) of the statutes is created to read:

15 77.994 (1) (me) 5994 — News dealers and newsstands.

16 ***b0371/P1.1* SECTION 1692t.** 77.994 (1) (mf) of the statutes is created to read:

17 77.994 (1) (mf) 5999 — Miscellaneous retail stores.

18 ***b0371/P1.1* SECTION 1692u.** 77.994 (1) (pa) of the statutes is created to read:

19 77.994 (1) (pa) 7922 — Theatrical producers (except motion picture) and
20 miscellaneous theatrical services.

21 ***b0371/P1.1* SECTION 1692v.** 77.994 (1) (pb) of the statutes is created to read:

22 77.994 (1) (pb) 7929 — Bands, orchestras, actors, and other entertainers and
23 entertainment groups.

24 ***b0371/P1.1* SECTION 1692w.** 77.994 (1) (qa) of the statutes is created to read:

25 77.994 (1) (qa) 7991 — Physical fitness facilities.

***b0371/P1.1* SECTION 1692x.** 77.994 (1) (ta) of the statutes is created to read:

77.994 (1) (ta) 7997 — Membership sports and recreation clubs.”.

~~*b0090/1.1*~~ **884.** Page 843, line 2: delete “gross receipts” and substitute “gross receipts sales price”.

b0090/1.2 885. Page 843, line 9: delete "gross receipts" and substitute "sales price".

~~*b0090/1.3* 886. Page 843, line 10: delete lines 10 to 19.~~

***b0199/P2.23* 887.** Page 843, line 10: delete the material beginning with that line and ending with page 844, line 8.

***b0378/5.5* 888.** Page 844, line 8: after that line insert:

***b0378/5.5* "SECTION 1697m.** Subchapter XIII of chapter 77 [precedes 77.9971] of the statutes is created to read:

CHAPTER 77

SUBCHAPTER XIII

REGIONAL TRANSIT

AUTHORITY FEE

77.9971 Imposition. A regional transit authority under s. 59.58 (6) may impose a fee at a rate not to exceed \$2 for each transaction in the region, as defined in s. 59.58 (6) (a) 2., on the rental, but not for rental and not for rental as a service or repair replacement vehicle, of Type 1 automobiles, as defined in s. 340.01 (4) (a), by establishments primarily engaged in short-term rental of passenger cars without drivers, for a period of 30 days or less, unless the sale is exempt from the sales tax under s. 77.54 (1), (4), (7) (a), (7m), (9), or (9a). The fee imposed under this subchapter shall be effective on the first day of the first month that begins at least 90 days after

1 the governing body of the regional transit authority approves the imposition of the
2 fee and notifies the department of revenue. The governing body shall notify the
3 department of a repeal of the fee imposed under this subchapter at least 60 days
4 before the effective date of the repeal.

5 **77.9972 Administration.** (1) The department of revenue shall administer
6 the fee under this subchapter and may take any action, conduct any proceeding, and
7 impose interest and penalties.

8 (2) Sections 77.51 (4) (a), (b) 1., 2., and 4., (c) 1. to 3. and (d) and (14) (a) to (f),
9 (j), and (k), 77.52 (4), (6), (13), (14), and (18), 77.58 (1) to (5) and (7), 77.59, 77.60, 77.61
10 (2), (5), (8), (9), and (12) to (14), and 77.62, as they apply to the taxes under subch.
11 III, apply to the fee under this subchapter. Sections 77.72 (1) and (2) (a) and 77.73,
12 as they apply to the taxes under subch. V, apply to the fee under this subchapter. The
13 renter shall collect the fee under this subchapter from the person to whom the
14 passenger car is rented.

15 (3) From the appropriation under s. 20.835 (4) (gh), the department of revenue
16 shall distribute 97.45% of the fees collected under this subchapter for each regional
17 transit authority to that authority and shall indicate to the authority the fees
18 reported by each fee payer in the authority's jurisdiction, no later than the end of the
19 month following the end of the calendar quarter in which the amounts were collected.
20 The fees distributed shall be increased or decreased to reflect subsequent refunds,
21 audit adjustments, and all other adjustments. Interest paid on refunds of the fee
22 under this subchapter shall be paid from the appropriation under s. 20.835 (4) (gh)
23 at the rate under s. 77.60 (1) (a). Any regional transit authority that receives a report
24 along with a payment under this subsection is subject to the duties of confidentiality
25 to which the department of revenue is subject under s. 77.61 (5).

(4) Persons who are subject to the fee under this subchapter shall register with the department of revenue. Any person who is required to register; including any person authorized to act on behalf of a corporation, partnership, or other person who is required to register; who fails to do so is guilty of a misdemeanor.

77.9973 Discontinuation. Retailers and the department of revenue may not collect fees under this subchapter for any regional transit authority after the calendar quarter during which the regional transit authority ceases to exist, except that the department may collect from retailers fees that accrued before that calendar quarter and interest and penalties that relate to those fees. If fees are collected, the authority may use the revenue for any lawful purpose.”.

***b0341/P1.2* 889.** Page 844, line 24: delete that line.

***b0341/P1.3* 890.** Page 845, line 1: delete lines 1 to 6.

***b0343/1.2* 891.** Page 845, line 7: delete lines 7 to 10.

***b0341/P1.4* 892.** Page 845, line 11: delete lines 11 to 14.

***b0343/1.3* 893.** Page 845, line 15: delete lines 15 to 18.

***b0341/P1.5* 894.** Page 845, line 19: delete lines 19 to 22. ²⁵

***b0341/P1.6* 895.** Page 846, line 2: delete “79.051.” ^{lines 1 to 8}

***b0343/1.4* 896.** Page 846, line 2: delete “79.052.”

***b0370/3.6* 897.** Page 846, line 8: after that line insert:

***b0370/3.6* “SECTION 1705b.** 79.04 (1) (intro.) of the statutes is amended to read:

79.04 (1) (intro.) Annually, except for production plants that begin operation after December 31, 2003, or begin operation as a repowered production plant after

1 December 31, 2003, and except as provided in sub. (4m) and under s. 70.112 (4) (am),
2 the department of administration, upon certification by the department of revenue,
3 shall distribute to a municipality having within its boundaries a production plant,
4 general structure, or substation, used by a light, heat, or power company assessed
5 under s. 76.28 (2) or 76.29 (2), except property described in s. 66.0813 unless the
6 production plant or substation is owned or operated by a local governmental unit
7 located outside of the municipality, or by an electric cooperative assessed under ss.
8 76.07 and 76.48, respectively, or by a municipal electric company under s. 66.0825
9 the amount determined as follows:

10 ***b0370/3.6* SECTION 1705c.** 79.04 (1) (b) 1. of the statutes is amended to read:

11 79.04 (1) (b) 1. Beginning with the distribution under this subsection in 1991,
12 and ending with the distribution under this subsection in 2006, the amount
13 determined under par. (a) to value property used by a light, heat or power company
14 in a municipality may not be less than the amount determined to value the property
15 for the distribution to the municipality under this subsection in 1990, subject to
16 subds. 2., 3. and 4.

17 ***b0370/3.6* SECTION 1705d.** 79.04 (2) (a) of the statutes is amended to read:

18 79.04 (2) (a) Annually, except for production plants that begin operation after
19 December 31, 2003, or begin operation as a repowered production plant after
20 December 31, 2003, and except as provided in sub. (4m) and under s. 70.112 (4) (am),
21 the department of administration, upon certification by the department of revenue,
22 shall distribute from the shared revenue account or, for the distribution in 2003, from
23 the appropriation under s. 20.835 (1) (t) to any county having within its boundaries
24 a production plant, general structure, or substation, used by a light, heat or power
25 company assessed under s. 76.28 (2) or 76.29 (2), except property described in s.

66.0813 unless the production plant or substation is owned or operated by a local governmental unit that is located outside of the municipality in which the production plant or substation is located, or by an electric cooperative assessed under ss. 76.07 and 76.48, respectively, or by a municipal electric company under s. 66.0825 an amount determined by multiplying by 6 mills in the case of property in a town and by 3 mills in the case of property in a city or village the first \$125,000,000 of the amount shown in the account, plus leased property, of each public utility except qualified wholesale electric companies, as defined in s. 76.28 (1) (gm), on December 31 of the preceding year for “production plant, exclusive of land,” “general structures,” and “substations,” in the case of light, heat and power companies, electric cooperatives or municipal electric companies, for all property within the municipality in accordance with the system of accounts established by the public service commission or rural electrification administration, less depreciation thereon as determined by the department of revenue and less the value of treatment plant and pollution abatement equipment, as defined under s. 70.11 (21) (a), as determined by the department of revenue plus an amount from the shared revenue account or, for the distribution in 2003, from the appropriation under s. 20.835 (1) (t) determined by multiplying by 6 mills in the case of property in a town, and 3 mills in the case of property in a city or village, of the total original cost of production plant, general structures, and substations less depreciation, land and approved waste treatment facilities of each qualified wholesale electric company, as defined in s. 76.28 (1) (gm), as reported to the department of revenue of all property within the municipality. The total of amounts, as depreciated, from the accounts of all public utilities for the same production plant is also limited to not more than \$125,000,000. The amount

1 distributable to a county under this subsection and sub. (6) in any year shall not
2 exceed \$100 times the population of the county.

3 ***b0370/3.6* SECTION 1705e.** 79.04 (2) (am) 1. of the statutes is amended to
4 read:

5 79.04 (2) (am) 1. Beginning with the distribution under this subsection in 1991,
6 and ending with the distribution under this subsection in 2006, the amount
7 determined under par. (a) to value property used by a light, heat or power company
8 in a county may not be less than the amount determined to value the property for the
9 distribution to the county under this subsection in 1990, subject to subds. 2. and 3.

10 ***b0370/3.6* SECTION 1705f.** 79.04 (4m) of the statutes is created to read:

11 79.04 (4m) Beginning with distributions in 2007, for production plants
12 described under subs. (1) and (2), if in any year the payments to the municipality and
13 county in which the production plant is located would be greater under subs. (6) and
14 (7) (c) 1. based on the production plant's name-plate capacity than under sub. (1) or
15 (2) based on the depreciated net book value of the production plant, the municipality
16 and county shall receive payments under subs. (6) and (7) (c) 1., rather than under
17 sub. (1) or (2), beginning in that year and in each year thereafter.

18 ***b0370/3.6* SECTION 1705g.** 79.04 (6) (a) of the statutes is amended to read:

19 79.04 (6) (a) Annually, beginning in 2005, for production plants that begin
20 operation after December 31, 2003, or begin operation as a repowered production
21 plant after December 31, 2003, except as provided in sub. (4m), the department of
22 administration, upon certification by the department of revenue, shall distribute
23 payments from the public utility account, as determined under par. (b), to each
24 municipality and county in which a production plant is located, if the production
25 plant has a name-plate capacity of at least one megawatt and is used by a light, heat,

1 or power company assessed under s. 76.28 (2) or 76.29 (2), except property described
2 in s. 66.0813, unless the production plant is owned or operated by a local
3 governmental unit located outside of the municipality; by a qualified wholesale
4 electric company, as defined in s. 76.28 (1) (gm); by a wholesale merchant plant, as
5 defined in s. 196.491 (1) (w); by an electric cooperative assessed under ss. 76.07 and
6 76.48, respectively; or by a municipal electric company under s. 66.0825.”.

7 ***b0343/1.5* 898.** Page 846, line 8: delete “, 79.051, and 79.052” and
8 substitute “and 79.051”.

9 ***b0341/P1.7* 899.** Page 846, line 8: delete “, 79.051,”.

10 ***b0341/P1.8* 900.** Page 846, line 13: delete the material beginning on that
11 line and ending on page 850, line 16.

12 ***b0343/1.6* 901.** Page 850, line 17: delete the material beginning on that line
13 and ending on page 853, line 4.

14 ***b0368/P1.3* 902.** Page 853, line 17: delete the material beginning with that
15 line and ending on page 855, line 15.

16 ***b0413/3.31* 903.** Page 854, line 6: delete “, (af),”.

17 ***b0413/3.32* 904.** Page 854, line 7: delete “and (r)”.

18 ***b0413/3.33* 905.** Page 854, line 8: delete lines 8 to 24.

19 ***b0368/P1.4* 906.** Page 855, line 19: delete “\$619,305,000” and substitute
20 “\$519,305,000”.

21 ***b0036/1.6* 907.** Page 855, line 20: delete the material beginning with that
22 line and ending with page 856, line 2.

23 ***b0379/3.6* 908.** Page 856, line 2: after that line insert:

1 ***b0379/3.6*** “SECTION 1718m. 84.013 (2) (b) of the statutes is amended to read:

2 84.013 (2) (b) Except as provided in ss. 84.014, 84.03 (3), and 84.555, and
3 subject to s. 86.255, reconditioning, reconstruction and resurfacing of highways shall
4 be funded from the appropriations under ~~ss.~~ ss. 20.395 (3) (cq) to (cx) and 20.866 (2)
5 (uur).”.

6 ***b0402/2.1* 909.** Page 856, line 2: after that line insert:

7 ***b0402/2.1*** “SECTION 1718g. 84.01 (30) (intro.) of the statutes is amended to
8 read:

9 84.01 (30) BUILD-OPERATE-LEASE OR TRANSFER AGREEMENTS. (intro.) The
10 department may enter into build-operate-lease or transfer agreements with private
11 entities for the construction of transportation projects, including any projects to be
12 financed under s. 84.59 for transportation administrative facilities under s. 84.01
13 (28) and, for projects that are not purchased by the state upon their completion, for
14 the maintenance and operation of such projects. A project under this subsection may
15 be constructed on state-owned land. An agreement under this subsection may not
16 be entered into unless the department determines that the agreement advances the
17 public interest, and the private entity has prior experience in design, construction,
18 site development and environmental impact analysis and, for a project that is not
19 expected to be purchased by the state upon its completion, has the capability of
20 maintaining and operating the facility upon completion of the project. The following
21 provisions shall be contained in any build-operate-lease or transfer agreement
22 under this subsection, except that they shall be included in an agreement for a sale
23 of property under par. (g) 3. only if they are relevant to that sale:

24 ***b0402/2.1* SECTION 1718i.** 84.01 (30) (g) 3. of the statutes is created to read:

1 84.01 (30) (g) 3. Notwithstanding any other statute, the department may sell,
2 at fair market value, the real estate upon which a park-and-ride facility is or may
3 be located, if the department determines that the sale is in the best interests of the
4 public and the department determines that the real estate will be used in a manner
5 consistent with the state's transportation interests.”.

6 ***b0366/2.2* 910.** Page 856, line 8: after that line insert:

7 ***b0366/2.2* “SECTION 1719g.** 84.03 (3) (a) of the statutes is amended to read:

8 84.03 (3) (a) Subject to par. (b), the department shall, from the appropriations
9 under s. 20.395 (3) (cr) and (cy), award a grant of \$5,000,000 from the amounts
10 allocated for the Marquette interchange reconstruction project under 2001
11 Wisconsin Act 16, section 9152 (5w), ~~shall award a grant of \$2,500,000 under s. 86.31~~
12 ~~(3s)~~, and shall award grants totaling \$2,500,000 from the appropriation under s.
13 20.395 (3) (ck), to the city of Milwaukee for reconstruction of West Canal Street and
14 extension of West Canal Street to USH 41 at Miller Park in the city of Milwaukee to
15 serve as a transportation corridor for the purpose of mitigating traffic associated
16 with the reconstruction of the Marquette interchange.

17 ***b0366/2.2* SECTION 1719r.** 84.03 (3) (b) of the statutes is amended to read:

18 84.03 (3) (b) No grant may be awarded under par. (a) ~~or s. 86.31 (3s)~~ unless the
19 city of Milwaukee contributes \$10,000,000 toward the West Canal Street
20 reconstruction and extension project.”.

21 ***b0380/4.5* 911.** Page 856, line 8: after that line insert:

22 ***b0380/4.5* “SECTION 1719g.** 84.014 (4) of the statutes is renumbered 84.014

23 (4) (a).

24 ***b0380/4.5* SECTION 1719h.** 84.014 (4) (b) of the statutes is created to read:

1 84.014 (4) (b) In each fiscal year in which the department expends or
2 encumbers funds for the Marquette interchange reconstruction project, the
3 department shall, to the maximum extent possible, expend or encumber funds
4 allocated under s. 20.395 (3) (cr) and (cy) for the project for that fiscal year before
5 bonds under s. 20.866 (2) (uup) may be issued for the project in that fiscal year.

6 ***b0380/4.5* SECTION 1719i.** 84.014 (4) (c) of the statutes is created to read:

7 84.014 (4) (c) Notwithstanding s. 16.42 (1), in submitting information under
8 s. 16.42 for purposes of the 2009–11 biennial budget act and, to the extent the
9 department maintains expenditure authorization under s. 20.395 (3) (cr), each
10 biennial budget act thereafter, if the department determines that the amount of
11 funds shown in the schedule, as defined in s. 84.03 (2) (a) 2., for the appropriation
12 under s. 20.395 (6) (au) in the 2nd year of the current fiscal biennium exceeds the
13 amount of funds needed for debt service payments under s. 20.395 (6) (au) in the first
14 year of the fiscal biennium for which information is submitted, the department shall
15 add the difference in these amounts to the amount of funds shown in the schedule,
16 as defined in s. 84.03 (2) (a) 2., for the appropriation under s. 20.395 (6) (cr) in the
17 2nd year of the current fiscal biennium for the purpose of establishing its base level
18 funding for the appropriation under s. 20.395 (6) (cr) in submitting its biennial
19 budget request. In determining the amount of funds needed for debt service
20 payments under s. 20.395 (6) (au) in the first year of the fiscal biennium for which
21 information is submitted, the department shall assume that no additional bonds will
22 be issued under s. 20.866 (2) (uup) during the fiscal biennium for which information
23 is submitted.”.

24 ***b0381/2.2* 912.** Page 856, line 8: after “(cr),” insert “(ct).”.

1 ***b0036/1.7* 913.** Page 856, line 9: delete the material beginning with that
2 line and ending with page 858, line 17.

3 ***b0412/2.2* 914.** Page 858, line 20: after that line insert:

4 ***b0412/2.2* “SECTION 1723m.** 84.115 of the statutes is created to read:

5 **84.115 Bridge in Door County.** (1) Notwithstanding ss. 84.11 and 84.14, and
6 subject to sub. (3) (b), the department shall construct a bridge in the city of Sturgeon
7 Bay in Door County that connects upper Door County and lower Door County.
8 Construction of the bridge shall commence not later than one year after the effective
9 date of this subsection [revisor inserts date] and prior to reconstruction of the
10 Michigan Street Bridge in the city of Sturgeon Bay in Door County.

11 **(2) (a)** In this subsection, “design–build procurement process” means a method
12 of contracting for a project under which the engineering, design, and construction
13 services are provided by a single private entity or consortium that is selected as part
14 of a single bidding process for the project.

15 **(b)** Notwithstanding ss. 84.01 (13), 84.06 (2), and 84.11 (5n), the department
16 may utilize a design–build procurement process for the project specified in sub. (1)
17 if all of the following conditions are met:

18 1. The contract is awarded through a competitive selection process that
19 utilizes, at a minimum, contractor qualifications, quality, completion time, and cost
20 as award criteria. To be eligible to participate in the selection process, a bidder must
21 have prior experience in design and construction and must be prequalified by the
22 department as a design consultant and as a contractor.

1 2. The contract is approved by the appropriate federal authority if, in the
2 judgment of the secretary, such approval is necessary for purposes relating to state
3 eligibility for federal aid.

4 (3) (a) Notwithstanding s. 84.11 (5m), the bridge project specified in sub. (1)
5 shall be funded only from the appropriations under s. 20.395 (3) (cq), (cv), and (cx).

6 (b) Door County shall contribute \$1,500,000 to fund its share of the costs of the
7 bridge project specified in sub. (1). The city of Sturgeon Bay shall acquire lands
8 necessary for rights-of-way and other purposes, and construct or reconstruct as
9 necessary all highway approaches, associated with construction of the bridge
10 specified in sub. (1), but shall not otherwise be required to contribute to the costs of
11 the bridge project specified in sub. (1).”.

12 ***b0256/P2.4* 915.** Page 858, line 21: delete lines 21 to 25.

13 ***b0208/P3.1* 916.** Page 859, line 1: before that line insert:

14 ***b0208/P3.1* “SECTION 1725m.** 84.185 (8r) of the statutes is created to read:

15 84.185 (8r) ETHANOL PRODUCTION FACILITIES. The department may not make a
16 grant under this section after the effective date of this subsection [revisor inserts
17 date], for an improvement related to an economic development project that involves
18 the construction of an ethanol production facility, unless the department determines
19 a competitive bidding process is used for the construction of the ethanol production
20 facility.”.

21 ***b0373/2.22* 917.** Page 859, line 1: delete lines 1 to 18.

22 ***b0380/4.6* 918.** Page 859, line 19: after “is” insert “renumbered 84.555 (1m)
23 (a) and”.

24 ***b0380/4.7* 919.** Page 859, line 20: after “(1m)” insert “(a)”.

1 ***b0380/4.8* 920.** Page 859, line 20: after “84.59,” insert “and subject to par.
2 (b).”.

3 ***b0380/4.9* 921.** Page 859, line 23: delete “are allocated for” and substitute
4 “may be used to fund”.

5 ***b0380/4.10* 922.** Page 859, line 24: after “obligations” insert “for the
6 Marquette interchange reconstruction project”.

7 ***b0380/4.11* 923.** Page 859, line 24: after that line insert:

8 ***b0380/4.11* “SECTION 1727g.** 84.555 (1m) (b) of the statutes is created to read:

9 84.555 (1m) (b) No bonds may be issued under s. 20.866 (2) (uup) to fund the
10 Marquette interchange reconstruction project under s. 84.014 unless all of the
11 following conditions are satisfied:

12 1. Funds allocated under s. 20.395 (3) (cr) and (cy) for the Marquette
13 interchange reconstruction project for the fiscal year in which the bonds are to be
14 issued are not sufficient to meet estimated expenditure obligations for the project in
15 that fiscal year and the bond issuance results in an amount of bond proceeds in that
16 fiscal year that does not exceed the difference between the estimated expenditure
17 obligations for the project in that fiscal year and the amount of funds allocated under
18 s. 20.395 (3) (cr) and (cy) for the project for that fiscal year.

19 2. Bonds to be issued during the 2005–07 fiscal biennium bear a maturity date
20 not later than June 30 of the 2nd fiscal year following the fiscal year in which the
21 bonds are issued and bonds to be issued after the 2005–07 fiscal biennium bear a
22 maturity date not later than June 30 of the fiscal year immediately following the
23 fiscal year in which the bonds are issued.”.